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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,765	02/19/2004	Hiromitsu Goto	14622	2069
293	7590	06/29/2005	EXAMINER	
Ralph A. Dowell of DOWELL & DOWELL P.C. 2111 Eisenhower Ave. Suite 406 Alexandria, VA 22314			A, MINH D	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,765

Applicant(s)

HIROMITSU GOTO

Examiner

Minh D. A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Gottfried (US 2004/0213540).

Regarding claim 1, Gottfried discloses a cable (114) for supplying power (112); a plurality of light-emitting units (126) which are connected on said power cable (114) and provided thereon at predetermined intervals; and a controller (110) connected to an end of said cable, which controls power supply to the plurality of light-emitting units (126) connected via said cable, wherein the light-emitting unit (126) contains a plurality of light-emitting elements having different emission colors, respectively and wherein a diode is connected to a light emitting element, among the plurality of light emitting elements, which requires relatively low voltage for light emission. See figures 1-4, col.1, line [0021] to col.4, lines [0040] to lines [0043].

Regarding claim 2, Gottfried discloses the diode is structured such that a voltage drop caused by the light-emitting element which requires relatively low voltage for light

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emission and the diode becomes approximately equal to that caused by the other light emitting elements. See figures 1-3.

Regarding claims 3-4, Gotfried discloses the plurality of light emitting elements (126) can any different colors corresponding a light emitting element that illuminates in red color, a light emitting element that illuminates in green color and a light emitting element that illuminates in blue color and wherein the diode is connected to the red light emitting element. See figure 4, col.2, lines [0027] -[0029].

Regarding claims 5-8 and 10, Gotfried discloses the light emitting elements are light emitting diodes. See col.2, line [0026].

Regarding claim 9, Gotfried discloses a cable (1140 for supplying power; a plurality of light-emitting units (126) which are connected on said power cable and provided thereon at predetermined intervals; and a controller, connected to an end of said cable, which controls power supply to the plurality of light-emitting units connected via said cable, wherein the light-emitting unit contains a plurality of light emitting elements having different emission colors, respectively, and wherein a current regulation diode is connected to at least one of the plurality of light emitting elements so that voltage drop for each of the plurality of light emitting elements is equal to one another. See figures 1-4, col.1, line [0021] to col.4, lines [0040] to lines [0043].

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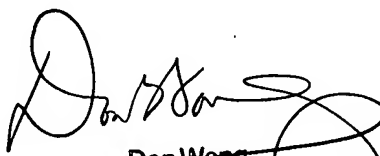
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mako et al (US 2005/0057942) and Peet, II et al (US 2002/0067290) are cited to show a portable warning light system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.


Don Wong
Supervisory Patent Examiner
Technology Center 2800

Examiner

Minh A

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6/26/05